

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LAIBILITY
LITIGATION

)
)
) MDL Docket No. 2419
)
) Master File No. 1:13-md-2419-RWZ

This Document Relates to:
1:14-cv-12978-RWZ: Bender v.
Insight Health Corp., *et al.*

)
)
)
)

1:14-cv-12941: Brown v.
Insight Health Corp., *et al.*

)
)
)

MOTION TO PARTICIPATE BY TELEPHONE

The undersigned counsel for Robert Dana Bender, Executor of the Estate of Ralph James Irace, Jr., deceased (Case 1:14-cv-12978-RWZ) and Patricia S. Brown, John D. Spicer and Jenae S. Patsell, Executors of the Estate of Louise B. Spicer, deceased (Case 1:14-cv-12941) respectfully moves this Court for leave to appear by telephone and address the Court at the hearing scheduled for 11:30 a.m. on Wednesday, September 28, 2016, before the Honorable Rya Zobel. The matters to be addressed is a Petition for Final Approval of Distributions to Statutory Beneficiaries of Virginia Wrongful Death Claim Pursuant to Va. Code § 8.01-55 filed in the Bender and Brown cases [ECF Nos. 3094 and 3095].

The undersigned counsel seeks leave because he is located in Roanoke, Virginia and there is substantial expense in traveling to Boston, Massachusetts.

WHEREFORE, the undersigned requests that the Court enter the attached Order granting him leave to appear and speak by telephone at the September 28, 2016 hearing.

ROBERT DANA BENDER, EXECUTOR
OF THE ESTATE OF RALPH JAMES
IRACE, JR., DECEASED

By: /s/ J. Scott Sexton
Counsel

**PATRICIA S. BROWN, JOHN D.
SPICER and JENAE S. PATSELL,
EXECUTORS OF THE ESTATE OF
LOUISE B. SPICER, DECEASED**

By: /s/ J. Scott Sexton
Counsel

J. Scott Sexton (*pro hac vice*)
Gentry Locke Rakes & Moore
PO BOX 40013
ROANOKE, VA 24022-0013
T: (540) 983-9379
F: (540) 983-9468
sexton@gentrylocke.com
Counsel for Petitioners

CERTIFICATE OF SERVICE

I hereby certify that on September 26, 2016, I electronically filed the foregoing with the Clerk of the Court, using the CM/ECF system, which then sent a notification of such filing (NEF) to all counsel of record.

/s/ J. Scott Sexton